

# United States District Court

WESTERN DISTRICT OF WASHINGTON

DANIEL CLARENCE FREDRICKS

JUDGMENT IN A CIVIL CASE

v.

ELDON VAIL

CASE NUMBER: C09-5599 RBL/JRC

     **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

- (1) The Court adopts the Report and Recommendation;
- (2) This petition is DISMISSED AS TIME BARRED; and
- (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED with respect to this petition.

February 1, 2010

Date

BRUCE RIFKIN

Clerk

s/ Mary Trent

Deputy Clerk